

MINUTES ADOPTED BY CITY COUNCIL

Greenville, NC
February 9, 2006

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of the Municipal Building, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Council Member Ray Craft and the pledge of allegiance to the flag. The following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Council Member Larry Spell
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
Bill Little, Assistant City Attorney

APPROVAL OF AGENDA

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Glover to approve the agenda as presented. Motion carried unanimously.

SPECIAL RECOGNITIONS

Mrs. Sarah Connor was presented with a plaque upon her retirement with 31 years and 3 months of service in various City of Greenville departments.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Affordable Housing Loan Committee

Motion was made by Council Member Glover and seconded by Council Member Dunn to elevate Tammie Carlton from an alternate to a regular member for a first three-year term expiring February 2009 to replace Charles Vincent, who did not meet the attendance requirements; to appoint Brian Becker for a first three-year term expiring February 2009 to replace Evan Lewis, who is ineligible for reappointment; and to appoint James Tucker as the Alternate for a first three-year term that expires February 2009. Motion carried unanimously.

ORDINANCE REZONING ACCESS EAST, INC. (C/O DR. TOM IRONS) PROPERTY LOCATED BETWEEN THE SOUTHERN RIGHT-OF-WAY OF BELVOIR HIGHWAY AND NORTHERN RIGHT-OF-WAY OF EASY STREET, AND EAST OF THE INTERSECTION OF BELVOIR HIGHWAY AND EASY STREET, FROM IU TO CH - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on January 30 and February 6, 2006 setting this time, date and place for a public hearing to consider a request by Access East, Inc. c/o Dr. Tom Irons to rezone 2.9506 acres located between the southern right-of-way of Belvoir Highway and the northern right-of-way of Easy Street, and 700± feet east of the intersection of Belvoir Highway and Easy Street, from IU to CH. The Planning and Zoning Commission, at its January 17, 2006 meeting, voted to approve the request.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and stated that this request is to rezone approximately three acres from Unoffensive Industry to Heavy Commercial. The 500-year floodplain is located to the east and south of the subject property. Belvoir Highway is considered a connector corridor and Memorial Drive is considered a gateway corridor. There is an intermediate focus area to the east that is the location of the Food Lion grocery store. The proposed rezoning could generate a total net increase of 1,225 trips, which would be approximately 475 trips to the west and 750 to the east. The Land Use Plan recommends industrial zoning for the subject area with commercial zoning to the east. This request is in general compliance with the Comprehensive Plan.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Ric Miller, representing Dr. Tom Irons of the Brody School of Medicine, stated that this request is a partnership between Health Assist of the University Health Systems, East Carolina Community Health Services, and the Brody School of Medicine. The Harvey Lewis family donated the property, and a \$1.5 million medical clinic is proposed to provide medical and dental care. A pharmacy for low-income persons is also planned. It is anticipated that it will serve over 5,000 clients the first year and over 20,000 during the first five-year period. There will be 60 full-time employees. This will be an opportunity to serve underprivileged residents in Pitt County and surrounding counties.

There being no further comments, the public hearing was closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Dunn to adopt the ordinance rezoning 2.9506 acres located between the southern right-of-way of Belvoir Highway and the northern right-of-way of Easy Street, and 700± feet east of the intersection of Belvoir Highway and Easy Street, from IU to CH. Motion carried unanimously. (Ordinance No. 06 -14)

ORDINANCE ANNEXING COLONY WOODS PROPERTY LOCATED ON THE EAST SIDE OF FROG LEVEL ROAD, SOUTH OF FOREST PINES SUBDIVISION, AND NORTH OF MEADOW WOODS SUBDIVISION - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on January 30, 2006 setting this time, date and place for a public hearing to consider a request by Colony Woods to annex 39.314 acres located on the east side of Frog Level Road, south of Forest Pines Subdivision, and north of Meadow Woods Subdivision. This is a non-contiguous annexation.

Mr. Merrill Flood, Director of Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is 94 single-family dwellings. The current population is 0, and the anticipated population at full development is 220, with 56 being minority.

Upon being asked how close this property is to a fire station, the Council was informed that Station 5 is just within the radius for fire protection.

Council Member Spell expressed concern about the pattern of growth in this area. He stated that there is a lot of underutilized land in the center of the City, and there needs to be residential development there before going on the fringes of the City. There is so much potential in the center of the City that needs to be utilized.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to adopt the ordinance annexing Colony Woods, containing 39.314 acres located on the east side of Frog Level Road, south of Forest Pines Subdivision, and north of Meadow Woods Subdivision. Motion carried unanimously. (Ordinance No. 06 -15)

ORDINANCE REQUESTED BY THE COMMUNITY DEVELOPMENT DEPARTMENT AMENDING SECTION 9-5-81(20) OF THE SUBDIVISION REGULATIONS STREET DESIGN STANDARDS TO INCLUDE REVISED CUL-DE-SAC/TERMINAL STREET STANDARDS - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on January 30 and February 6, 2006 setting this time, date and place for a public hearing to consider a request by the Community Development Department to amend the subdivision regulations street design standards, Section 9-5-81(20) to include revised cul-de-sac/terminal street standards.

Mr. Harry Hamilton, Chief Planner, stated that this is a request to amend the street design standards to include a revised cul-de-sac/terminal street design criteria and standard. The current section in the City Code says that a cul-de-sac/terminal street shall not exceed 1,000 feet as measured along the centerline of such street from the right-of-way as projected from the intersecting street which provides direct access to the general street system (existing or

proposed) to their furthestmost point. The ordinance will not change the 1,000-foot standard. This is a clarification of that particular section. This ordinance includes the standards and criteria that are routinely used in making decisions as to whether or not cul-de-sacs are appropriate, the number, the location, and the length. These will be included in one place in the Code so it can be referred to. The Planning and Zoning Commission will have complete jurisdiction over making a decision as to whether or not any cul-de-sac on a plat meets these general criteria. There would be two sets of conditions to determine the appropriateness of cul-de-sacs, physical conditions and public service and safety. Under the physical condition section, the streets may be utilized when the extension of the proposed street to adjoining property or to its intersection with an existing or proposed street is infeasible due to intervening environmental and/or geographic features, intervening existing and/or vested adjacent development, the shape and/or dimension of the tract proposed for subdivision and intervening or approved public and/or private streets; it does not negatively impact vehicular and pedestrian traffic circulation; it does not unduly increase the public cost of or inhibit the provision of public service; it does not unduly impact the public cost of or inhibit the provision of public safety and life services; it does not unduly restrict or inhibit adequate access; and it does not otherwise create a public safety hazard. Mr. Hamilton stated that the following is a rewrite

“a cul-de-sac/terminal street shall not exceed one thousand feet in length as measured along the centerline of such street from the right-of-way as projected from the intersecting street to the furthestmost point. When a cul-de-sac/terminal street intersects only another cul-de-sac/terminal street the regulatory length of all such streets shall be measured individually from the intersecting street that is not a cul-de-sac/terminal street to the furthestmost point of all such streets.”

Mr. Hamilton indicated on the map how to measure the length of cul-de-sac streets.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance amending the subdivision regulations street design standards, Section 9-5-81(20) to include revised cul-de-sac/terminal street standards. Motion carried unanimously. (Ordinance No. 06 -13)

ORDINANCE REQUESTED BY COMMUNITY DEVELOPMENT DEPARTMENT
AMENDING ZONING REGULATIONS TO INCLUDE A NEW DISTRICT ENTITLED CO
(CORRIDOR OVERLAY) AND TO INCLUDE ASSOCIATED PERFORMANCE
STANDARDS – TABLED

Mr. Harry Hamilton, Chief Planner, stated that this is a request for an amendment of the Zoning Ordinance to create a new overlay zone on top of one or several of the general purpose districts. The purpose of the Corridor Overlay (CO) district is to provide additional site development standards for specific roadway corridors including building facade treatments, parking lot screening and parking area surface materials, lighting intensity, and other standards designed to enhance the aesthetic quality of the built environment, to protect property values and to insure future corridor development is compatible with adjacent and area development. Prior to the

establishment of any CO district, staff would conduct a study and prepare a land use plan specifically for the corridor that they are interested in. The Planning and Zoning Commission would review that and forward a recommendation to the City Council, and the City Council would then hold a public hearing. There would be a public involvement process to create a corridor overlay district. The second part of the process would be that once the district is created through the planning process, they would have to go through the regular rezoning process to actually put the zone on the ground. They would have to go to the Planning and Zoning Commission with a public hearing and then to City Council for a public hearing. Both the land use plan development and zoning processes are open to the public. There are four opportunities for anyone interested in a particular overlay zone to express their opinions. A CO district is defined as a special overlay zone that is both a thoroughfare roadway and a designated greenway corridor as shown in the Comprehensive Plan.

Mr. Hamilton displayed an example of the existing adopted thoroughfare plan showing major and minor thoroughfares around the City. The transportation corridor map is very similar but also different. It defines land use intensity along certain corridors within the City including connector, gateway, and residential corridors. In order to apply under this district as originally written, it would have to be a thoroughfare street and a gateway corridor. There are nine gateway corridors around the city that could potentially be designated through a planning process as a gateway corridor that is subject to this overlay zone--264 East, Highway 11 North, 264 Loop, Highway 43, 264/Stantonsburg Road coming in from the west, Highway 13-Dickinson Avenue, Highway 11 South, NC 43 South and 33 East.

Mr. Hamilton continued by stating that development within a CO district would have to be in accordance with the general purpose underlying district, which means that when this overlay is placed on a roadway corridor, there is already going to be zoning there. The permitted and special uses that are allowed within that underlying district are the uses that will still be allowed within that zone. There is a requirement that any use of non-residential development that has 20,000 or more total square feet of building floor area would be subject to special use permit approval by the Board of Adjustment. Through the special use hearing process, the Board of Adjustment could place more conditions on the development. The proposed ordinance includes plan submission requirements, exterior building façade standards, roofline standards, parking area screening and surface material requirements, sign standards, lighting standards, parking requirements, interconnectivity requirements and additional performance standards for certain uses such as gas pump islands and drive through facilities for fast food restaurants, etc.

Mr. Hamilton reiterated that the only areas where this ordinance would be proposed to be located would be on one of the gateway corridors coming into the City. There has been a lot of concern by people who have some development interest or own property within one of these gateway corridors. The only corridor that the staff is really concerned about, which is considered as an at-risk corridor at this time, is the US 264/Stantonsburg Road corridor. Although there are nine different corridors, the only corridor area that staff has any intention of preparing a land use plan for at this time would be the corridor that it is coming into the medical district area. Mr. Hamilton identified the more medical intensive restrictive zoning within the corridor and near the hospital. Within those areas, there are very limited opportunities for a retail type of development. Mainly there is opportunity for medical office type development. There are a couple of areas that are commercial districts. The Stanton Square Shopping Center is there and it

was there back in 1986 when the Medical District Plan was originally adopted. To the west near the interchange, there is about 70 acres of commercial zoning and those areas are vacant and ready for development. In front of the hospital, with the relocation of Moye Boulevard, there is going to be the new heart center. That is going to spur accelerated development similar to when the Brody Medicine School was built in this area plus the expanding residential development and the demand for services in this area. There is going to be more demand for increased commercial space especially around the intersection. In consideration that the Southwest Loop would one day be built, this would be a major interchange to the City off the primary north-south route through Pitt County. The major entrance from the west is the corridor, where it is staff's opinion that they need to prepare a land use plan immediately and to protect the entrance there. They do not have the ability to protect the entrance with restrictive use zoning such as medical zoning. If medical zoning was placed at that intersection, this would not be as great of a concern as it is. Commercial zoning is there and a wide variety of uses and development styles could take place in that kind of zone. In staff's opinion, it would be incompatible with the existing uses in this immediate area.

Mr. Hamilton stated that, as written, this ordinance could potentially apply to all of these nine different corridors. The type of development that could be seen within that area is typical commercial development that the City has had in the past. There is some redevelopment that has taken place off of Greenville Boulevard and that development is certainly of higher quality than the type of development that is shown. There is no guarantee that type of development would take place. This type of development is permitted by right in this district.

Mr. Hamilton identified expansive parking lots, big square block buildings that are permitted and an example of a convenient store/gas station type of operation that is currently permitted under the Code. The type of development that is currently allowed with respect to shopping centers would include large buildings set back from the road with very large expansive parking lots that front directly onto the street. Mr. Hamilton delineated the corridor on the map coming in from 264/Stanstonsburg Road and stated that a lot of the medical offices generate as much traffic as a commercial business. The general style for development in this area is to have limited parking adjacent to the roadway, pull the buildings closer to the road and have parking all around the building.

Mr. Hamilton stated that the ordinance, as written, does apply to all of these nine gateway corridors. Staff's concern is with this one corridor coming into the City. One way to alleviate the fears of a lot people who think that this ordinance is intended to apply to the outlying properties remote from the medical district is to add a subsection that "no CO district shall be designated in an area other than adjacent to the US 264/Stantonsburg Road Gateway corridor or portions thereof in accordance with this Subsection C." If this Subsection were put into the ordinance, it would restrict it to that one corridor.

Mr. Hamilton stated that if that provision is adopted, another standard that would apply is that CO districts would be required to have at least one-half mile continuous frontage on one of the gateway corridors. In that case, the permitted and special uses of the underlying district would apply. There is a reference to the 20,000 square foot requirement for special use permits. There are some exterior facade standards and those deal with the materials that can be used for the facades. Prefabricated metal, corrugated metal, unfinished, smooth faced concrete blocks would

not be permitted. These are all subject to the City Council's preference. These would be buildings that are in line with the type of construction throughout the medical area. There is a section that deals with building facades that have a long linear facade. Anything more than 60 feet would have to be articulated by recessions and projections to break up the monotony of the large wall. The roofline standards by land use category is a section that would require a percentage of the building facade that it would have to have if it faces a public street or public pedestrian way; it would have to be broken up by some type of facade treatment. Awnings and canopies would have to be attached to the principle structure. It would not allow any type of freestanding canopies in this area, so someone wanting to put in a convenience store would have to have the canopy attached to the building. Canopies are frequently used in the medical area, and they are attached to the building. Non-residential buildings would be required to have a 4-12 pitch minimum and residential would be 6-12 pitch and that would be over 70 per cent of the roof plane. There would be some provision to allow some flat roof surfaces. All roof mounted mechanical equipment would have to be screened.

Mr. Hamilton stated that parking areas containing three or more rows of parking spaces that are located within any front yard area, which is the area between the front face of the building and the street right-of-way, would have to be screened by one of several methods. Principle or accessory structure screens, a berm or a terraced earthen landscape screen wall, or a solid wall of brick or stone of at least five feet in height would screen parking areas. All interior drives, parking areas, etc. would have to be asphalt or some type of natural earth tone material. Parking lots that are not asphalt or concrete would not be permitted.

Mr. Hamilton stated that with respect to signs no signs can be attached to a canopy and no temporary or permanent signs can be displayed through a glass window or door. A lot of times in the commercial area, people will cover glass doors and windows with poster signs. Staff does not feel that it is compatible with the medical area. That type of advertising is not allowed in that area. Standard wall and freestanding signs that are allowed through the Code are sufficient advertising. No temporary signs can be within 75 feet of any street right-of-way. Little temporary signs lined up along the roads would have to be placed back near the building. All freestanding signs are required to be decorative based or pylon mounted type signs. Shopping centers and doctors' offices use mounted type signs rather than freestanding signs.

Mr. Hamilton stated that with respect to lighting, the light source has to be completely concealed within an opaque housing. A lot of the gas stations use bubble lights that hang down which put out a tremendous amount of light that goes in every direction. If the lights are shielded back inside of an opaque housing and require that the cone of light does not leave the property line, there would not be that effect. White light would be required. There are minimum illumination levels within non-residential parking areas and below canopies. Based on national lighting standards, these are sufficient for lighting under canopies.

The additional standards that do apply would be that fuel pump stands and islands would have to set back at least 200 feet from a thoroughfare street. Auto wash bays and vehicle service delivery stations would have to be set back at least 200 feet from the thoroughfare. Drive-in food delivery would have to be set back at least 100 feet from a thoroughfare or any outdoor storage would have to be set back at least 200 feet from any perimeter property line, public

street, or private street. This includes display areas for automobiles, truck camper tops, etc. that people would store outside.

Mr. Hamilton stated that improved parking spaces for any commercial district should not exceed that required by the parking regulations by more than 10 percent. Staff is very flexible on the amount of parking. The intent of this regulation is to restrict parking for big box users where it is completely unreasonable with respect to how much land they want to include in an impervious surface area. Staff believes that it is a better idea to have less parking and restrict the amount of impervious area. This will only apply to those big box type users that have many hundreds of parking spaces. With respect to smaller businesses, this is not going to be an issue with respect to the way parking regulations are administered. Not more than 40 percent of total improved parking spaces may be located in anyone's front yard. This will require parking similar to the medical buildings and the Viquet Center to be either all around the buildings or set back to the side or to the rear of the building. The intent is to facilitate building locations closer to the street with the parking in the rear.

Mr. Hamilton stated that non-residential development shall accommodate interconnected pedestrian sidewalks and vehicular traffic pass. This will require that all development within a common CO district would be required to have sidewalks and parking areas stubbed out to allow the interconnected pedestrian and vehicular trips between those uses without having to get back on the thoroughfare.

Mr. Hamilton stated that there is an exemptions and modifications section that for non-residential principle structures, public street setbacks may be reduced to 50 percent provided none are reduced to less than 20 feet. In a commercial zone where there is a 50 per cent setback required, because people are being asked to put their parking in the side and in the rear, they are being allowed to bring the buildings closer to the street.

Mr. Hamilton stated that there are several existing overlay and special zones that have been adopted in the City and these are common—Flood Hazard Overlay Zone, Neighborhood Revitalization, Medical General Commission, Planning Development district, and Planned Industry District. Several of these are districts where the criteria and the ordinance was adopted for the creation of these zones before the zones were ever put on the ground. That's not an untypical way of the process of developing new districts. Additional districts are Watershed Protection, the College View Historic District Overlay, and the design standards that apply automatically with an overlay of that type, such as the Conservation Area Overlay and the R6A Restricted Use Overlay.

Mr. Hamilton explained why staff believes that the 264/Stantonsburg Road corridor needs additional protection for the visual quality and its compatibility with the other development.

- US 264/Stantonsburg Road Corridor is the major gateway to the City and is the western entrance to the medical district area. The area has experienced accelerated growth for 30 years and is expected to continue. The medical district is a major employment area. In the newspaper recently, the Pitt County Memorial Hospital's report reported that the total community benefits more than \$860 million dollars because of the Hospital. The construction of the new heart center will result in a major growth in the medical industry.

Other major contributors to growth include the vacant commercial zoning at the 264 interchange. Part of the area to the north of 264 contains environmental limitations, but there is a great deal of property to the south and to the north as well. Some of that can be developed, so some fairly intensive commercial development at that intersection is expected.

- The future southwest loop extension to Highway 11 is going to be a major corridor north/south through Pitt County. This is going to be where people get off of the road to get to Greenville, especially to the medical area. Because of the amount of residential development that will take place in that area and the number of employees at the largest employment area in Pitt County, there is going to be additional demand for convenience retail and for additional services. All of these things will contribute to growth. Restricted view zoning in the medical area does not apply to a significant portion of this area. Expansion of the employment base and new housing will likely justify a lot more development. Those are only limited by the general use standards. There are 70 acres of commercial development that are only limited by minimum setback, parking, and screening requirements that apply to any commercial development in the City. Staff does not feel that is adequate protection for this area; however, there is no plan to propose a moratorium on development. The required processes are developing these kinds of standards and going through the planning process to propose a specific district as well as having a public hearing for the rezoning request. It will probably take at least eight months before they will come before Council with an actual request to zone somebody's property out there to even apply these. Staff anticipates at least four or five meetings of the Planning and Zoning Commission and City Council over that time and a lot of public involvement. There would be a lot of development pressure and time is of the essence here. The City's plat and site plan review processes are abbreviated. There is very short turnaround time on subdivision and site plan review. Once they get site plan approval, regardless of whether or not the zoning changes, they still have the right to build that project. It is unlikely that they would not do that, especially since the only nonconforming provision would be the application and overlay standard. The underlying district standards would still be available. The urban form and land use section of the comprehensive plan recommends enhancement of the appearance of the highway and gateway corridors. Major transportation corridors should be carefully designed and developed to reflect their importance as entranceways to the City. That is a statement right out of the Comprehensive Plan. Staff is trying to follow through with that idea.
- Lastly, there is no guarantee that future development in this corridor outside the restricted use medical zones and none of the general standards will be consistent with the character and quality of investment existing in the area. A high quality development under the current standards could certainly be built, but there is no guarantee. Standards of this type would give them more of a guarantee.

At any time through that process, especially through the land use plan formulation process, if it is felt and recognized that the proposed standards are insufficient, inadequate, or too excessive, they can be modified. Part of the plan could include recommendations to change the standards at the time the property is rezoned. There is adequate time through the process, if the City Council chose to do it that way, to make changes. Staff explained that to the Planning and Zoning Commission and it is believed that the majority of the members understood that. Once this

category is approved and this zoning is created, there are no available CO districts for people to either take advantage of right now or that are encumbered by those requirements. The City would have to go through an extensive process to create those zones and City Council has the opportunities to change any standards at any time. Originally the recommendation was for all the gateway corridors with emphasis on this one. They had no expectation of doing the plans at this time for any of the other corridors. With the change that staff originally showed the City Council in the first section, it would limit the application to areas along this one corridor specifically in the medical area. They are concerned about the commercial zoning in the area and the 264 corridor is the focus of this amendment.

Questions were then asked of Mr. Hamilton, and the following responses given.

Are medical and offices included in the CO rather than your reference to commercial development?

(RESPONSE: There is a generalized land use plan that is applied citywide. When staff does a special corridor study, it is very likely based upon the other needs (i.e. more retail, employment, and residential) that some of the areas, especially near the interchange, would be recommended for some more intensive zoning with the knowledge that they can put these overlay standards on it. It will minimize the impact because they will have better form, which is as important as restriction of use with respect to adjoining properties. A lot of the areas might very well be proposed through that planning process to be converted to commercial with the application of the overlay.)

Would the CO apply to an office building being built in the medical area along Stantonsburg Road?

(RESPONSE: Staff does not know exactly where the zone boundaries would be. Right now, some of the areas are zoned for medical office. Some of the areas may be recommended for commercial zoning with the application of this overlay on top of it. But, if the properties that are shown are included within the overlay and stay MO zoning, then those properties would be subject to these new standards.)

You had mentioned that this corridor overlay would guarantee certain levels of design standards and perhaps there could be attractive development near existing development especially along the corridor. How do you anticipate this corridor overlay affecting property values?

(RESPONSE: The standards would better guarantee that development would be more than keeping with the design of the other buildings that are already there. Nothing guarantees high quality development, unless there is a design review process where it is required to submit more detailed plans to a design review committee. Staff is not asking anyone to do that. These are minimum standards that would discourage extensive parking lots in the front and prohibit anyone from having monolithic huge wall type of buildings, for example Wal-Mart. The roof requirements also lend themselves more to the design of the buildings in this immediate area. These standards would not necessarily be applicable, even if they wanted to do them or to apply them in other places.)

What about the assurance of having those standards in place and having a positive impact on existing properties so that there would be matching development around them?

(RESPONSE: That would be staff's opinion. When going through the process to create the land use plan, those issues would be brought to the forefront. Staff would involve the property owners within the corridor and adjoining property owners.)

Neither the elementary school in Stokes nor Wintergreen School have a flat roof. The facility that they are building as an addition to the Medical School is not a flat roof. What is the pitch on the roofs that are in the new medical facilities at East Carolina University?

(RESPONSE: Some are steep and others are shallow.)

You have pointed out that businesses with over 20,000 feet would have to get a special use permit. Besides that, is there anything that you anticipate that would limit the actual use of the property? Not saying that you would actually have to put your parking lot around the building as opposed to having everything out in front and get rid of the sea of asphalt. Is it correct that we are not really talking about limiting what people can do with their property in terms of use?

(RESPONSE: The use would not be affected. It would still be in accordance with the underlying district standards and the permitted in special uses.)

Is the urgency to adopt the ordinance because of the 264-Stantonsburg Road corridor? There should be a committee to work with staff. The City owes it to developers to give them the opportunity to have some input on this corridor overlay before a decision is made. If they are going to do something of this magnitude, they should take the time and have a committee of people, developers, architects, etc. to meet with staff so the Council would have not only staff's input, but that of everybody who will be immediately affected by this request.

(RESPONSE: Staff would expect that for the land use planning process to create a district and involve the people who are within the area that is proposed for this. If the City Council wants to do it prior to this other process, that is fine as well. Staff is aware of a public participation input process where people are going to be able to decide or give their input not only on the boundaries but also on the standards as well.)

One of the biggest resistances is from one who has submitted a letter and has felt that there has not been enough public input upfront. For those who have been to Wilmington, they would look at what local developers have done in Wilmington versus what has been done in here. They appointed a committee of neighbors, architects, city planners, interested citizens and developers to work together to address these issues and the architectural regulations to create. One of the concerns tonight is that they have not received enough balanced input and it is a lot to take in and just seen here in a few days.

Before any kind of corridor overlay is put in place, will there be a process in which all interested parties could come in to actually talk about the specific standards that would be in place for that corridor?

(RESPONSE: Yes. Where you have a community-wide adoption of design standards, you would go out and talk to everybody in the community. In this situation, where we are talking about standards that just apply to just a single corridor, you can either do it two ways: (1) ask everybody in the City what they think about this one corridor or (2) ask the people who own the property in and adjacent to this corridor what they think about it. Staff knows that there is going to be an information exchange process here. If the City Council wants to establish a committee upfront before anything is done, that's fine.)

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Jim Hopf, representing a group of property owners and business leaders who are concerned about the impacts to Greenville from this proposed ordinance and who are opposed to this proposed ordinance, stated that these are people who are interested in smart growth and responsible growth, but they also believe that must be balanced with practical growth. Mr. Hopf asked the following questions and made comments.

- *What is the actual impact from this proposed ordinance?* This is not just about warehouses, Wal-Marts, and Home Depots. They believe that it is much more detailed and pervasive than that and it is going to have longer wider reaching impacts than that, impacts that will affect all areas of development or all types of development in the affected areas. This ordinance is about no gas pumps or gas islands within 200 feet of the right-of-away; no food drive-thru windows within a 100 feet of the right-of-way; the limit of continuous store fronts to 60 feet; not a 100 or 200 feet as in a Wal-Mart, but 60 feet; a limit on the amount of parking spaces in front of businesses with the majority of parking spaces being required in the back; a requirement of screening through dark berms or walls running along the roadways and in front of those businesses. The point is that this ordinance impacts a considerable number of very important and basic design issues, issues that have significant impact on what is built, how it is built, where it is built, and the cost of that building, all of which in a very real way impacts the configuration and complexion of this city and which warrants careful and reasoned thought and consideration.
- *What is the scope of the proposed ordinance?* This goes well beyond the Stantonsburg Road medical corridor. It has been mentioned that this impacts nine roadways. Who knows where it can go from there and how it can be expanded from there. Nine roadways from restricted access highways like 264 to rural two-lane roads that exist right now in Highways 33 and 43. A one-size fits all approach is not the appropriate way to deal with these issues. What is appropriate for 264 as a limited access highway is not the same as it is for Highways 33 or 43 where businesses, restaurants, and stores are located right along the roadway. This ordinance proposes a one size that simply does not and should not fit all.
- *What are the impacts on growth and development from this ordinance?* He would submit to the City Council that it adds an additional layer of regulation, restriction, and complexity to an already complicated and cumbersome process.
- *Do we want planned growth?* Yes.
- *Do we want economic prosperity for all?* Of course.
- *Does this ordinance go too far?* Absolutely. The impacts of this ordinance will be to deter growth. National retailers and businesses considering Greenville will be deterred. Local property owners and small businesses trying to survive and making it in an already difficult economy will be priced out. The bottom line is if this proposed ordinance is enacted, compliance with its restrictions will have at least two consequences. Building in the impacted areas will be too expensive, and the delays resulting from all the additional restrictions and layers of regulations will stymie the development in these affected areas. Prospective businesses will go elsewhere, and Greenville cannot afford that. The resulting losses should be obvious: less growth, less progress and amenities, less tax base and less revenues for the City.
- *What about the implementation of the ordinance, which they have not heard about tonight? Who will monitor and enforce it? Will it be our already stretched City staff? Is that*

realistic, and if so does our existing City staff have the architectural and design experience to handle this? Or, will it require the creation of a new position or new positions to obtain that experience and knowledge base and the necessary manpower to handle this?

- *What input has gone into the creation and drafting of the proposed ordinance? Which stakeholders, the individuals and businesses that will be affected by these restrictions, have been consulted about this ordinance?*
- *What impact has been obtained in drafting the proposal?* Not after the fact, but before the City Council put something so pervasive and all encompassing into place that will affect our City for a long time. We are fortunate in this community to have a wealth of knowledgeable people, developers, business owners, architects, engineers, designers, planners, and not to forget about our general citizens, people who are knowledgeable about Greenville and about what they want and what kind of place they want to live.
- *Have any of these people been consulted? Has any impact put sought or obtained? Has anyone stopped to ask the basic questions, what are we trying to accomplish, does this achieve what we want, and when the rubber hits the road, is this practical? Is this realistic? Is this good for Greenville?* Mr. Hopf suggested that this should not be about pushing something through and then getting public comment later and public input later or rather attempting to achieve something positive for the long haul for all of us.
- *Smart growth?* Yes.
- *Responsible growth?* Absolutely. But these goals deserve and require thoughtful and reasonable measures. This proposed ordinance goes well beyond that and they believe that the City Council should vote no.

Mrs. Elisia Speight Holt of Speight Properties stated that with her experience and background she fully appreciates the opportunities and challenges of a growing community and that they are all blessed. She applauds the City of Greenville, City Council and her fellow citizens' efforts to plan for smart growth. She is here tonight because she supports a variety of small local businesses. For 25 years, Speight properties has provided affordable and quality rental space for numerous locally owned and operated businesses. They have also been involved in the redevelopment of some older shopping centers as well. Eighty-nine percent of their tenants are small local businesses and half of those businesses are minority owned and operated. The goal is to continue providing affordable, commercial rental space in strategic locations throughout Greenville so that these businesses can thrive and remain competitive with new franchises and corporations coming into the City. She recently found out about the proposed overlay district ordinance and its potential applicability to all corridors. At this time, she has more questions than answers. She asked for more time to gain a clear understanding of the objectives and components of the proposed ordinance, time to evaluate its impact on small and minority owned businesses, time to understand where the proposed overlay ordinance will be used now and in the future, and time to understand how it will be funded and implemented. Most importantly, she is asking for time that all citizens could provide input on drafting the proposed overlay ordinance especially those that will be affected by it. Mrs. Holt asked that the City Council delay their votes tonight so that all citizens can provide input and they could have something crafted and put together that will be successful.

Upon being asked to define smart growth, Ms. Holt stated that she would define smart growth as using common sense and good judgment, evaluating the benefits and costs, and are they really accomplishing what it is they want to accomplish and are their other ways that it can be

achieved. She has always been a firm believer that if you get all stakeholders involved, they can create something much more likely to be successful and much supported.

Mr. Wally Moore of the Brody Co. read a letter from Mr. H. J. Brody, President of the Brody Company.

“COPY”

Dear Mayor Parrott and Members of the City Council:

I am sorry I'm unable to personally attend tonight's discussion regarding the proposed overlay and architectural review. I am not opposed to an architectural review process. I think ultimately it will lead to smart growth. However, I do believe more study is needed on this issue and perhaps modifications before it is considered for passage. My concerns are based on experiences I have in other markets where reasonable requirements have been established. In Wilmington, the Mayor and Council faced this issue several years ago and appointed a committee of neighbors, architects, city planners, interested citizens and developers to work together to address issues and architectural regulations would create. A balanced review process needs to be achieved between what city planners, staff and neighbors desire and what is feasible and durable for the developer. The final regulation needs to be a compromise because too much regulation kills growth and too much growth kills communities. Each side needs to listen and work with others and in the end create a regulation that works for both sides ultimately benefits of the City Council of the City of Greenville. In Wilmington, the committee created a broader appearance committee comprised of experienced architects, city planners, developers and appointees who understood design and civil land planning. This led to better design practices and resulted in a city hiring an architectural and land-planning firm to write design guidelines and review proposed developments that are large scaled in nature. The City Council needs to consider how the regulations will impact an already busy city staff. Where more people need to be hired, these people will need training. Is the City prepared to outlay the needed dollars for this training plus continued training? These questions need to be considered and an action planned developed prior to passage of this proposal. The bigger question which needs to be answered is what is the intent. Is it to regulate and control development? Is it to stop growth or is it to create smart growth? What are we trying to achieve? Are these regulations the Staff's solutions to the correct issue? Has that issue been defined and if so, by whom? Can it be shared with everyone so we all understand the intent? This needs to be determined before regulations are passed and large collateral change occurs. Retail big boxes like the ones mentioned in today's Daily Reflector spends millions of dollars bringing in their concept. They will not allow City Staff to dictate their elevation designs, investing so much for a regional and/or international recognizable branded identity. Greenville is a wonderful place to live. I was born here and lived here most of my life. If we want to continue to attract desirable retailers like Starbucks, Panera Bread, Old Navy plus potential retailers like Hold Foods, Fresh Market, Dillard's and Diggs Sporting Goods, we must have a process that works and is not too one sided. If Greenville wants these caliber retailers and desires to keep our tax dollars at home and not lose them to Raleigh, there needs to be flexibility in how we allow big boxes to design their store fronts and roof elevations. Otherwise, these stores would just bypass and go to an infield location and a bigger market that understands their requirements. We should not underestimate the property tax dollars these developments bring to our city. Dollars that can pay needed equipment and services or better yet

avoid increases in individual business properties taxes. Smart growth is good, but please be careful take the time to truly study the proposal, set up a committee, let them bring back to you a solid plan for review. In conclusion, I urge you again to further study this proposal before passing it. If my firm or I can help in any way or be a part in the study, please call us to serve.

Sincerely,

H. J. Brody
President
Brody Co.

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Mr. Moore stated that on a personal note, people often stop him and thank him for bringing new business to Greenville. One man who recently moved here told him that it was one of his deciding factors in persuading his wife to come to this area. Eastern Raleigh to Greenville is one of the areas that have been identified by retailers as a growing market. There are many new businesses that he feels will choose Greenville for a location. He would be disappointed if Greenville lost its growth momentum not only for retail development but its ability to attract new industry to the market.

Mr. Steve Janowski of Michael Baldwin & Baldwin Associates stated that he has read the ordinance, and there are pieces of the ordinance that can be cumbersome. Mr. Janowski reiterated that there are nine different corridors and nine different shapes, yet there is one package that is already setting a basis for starting public hearings. He has known about the existence of the ordinance for seven or eight days. As this happens in other communities, they get opportunities to have interaction with their clients including retailers, realtors, and other consultants. They have an opportunity to balance things off. He thinks that Mr. Hamilton's presentation was excellent. The goal of the City's Staff, from their perspective, is to have smart growth. He understands the urgency, especially when the hospital begins to take off and there will be pressure on the corridors, if not already. This can be benign and it could position itself to take about eight to twelve months. There are folks in the design/build business who typically have engineers or architects on staff. Design/build teams have to do several things including preliminary designs, cost, etc. and they are literally putting a number on the line for somebody to build by before they ever have a permit. It would be prudent to have some input and to have at least the proper skeleton. Mr. Janowski asked that the City Council delay responding to this request until input from the community is received.

Mr. Ric Miller of Miller Construction Company stated that he found it very interesting that staff's presentation tonight really isn't what the ordinance says. It is not just limited to the medical district. This ordinance affects all of Greenville and all of the main corridors. He was very disturbed this morning when he picked up The Daily Reflector indicating "Big Box Buildings Wearing Out Welcome In City". He was offended by it and thinks that the majority of the citizens of Greenville were offended. He knows that the majority of the City Council was because he was part of it. He thought they were a little bit of pro-business and wanted tax base, new jobs and revenues from the sales tax deal. There is not a single commercial development in Greenville that would meet the standards of the proposed ordinance. He requested that

everybody in the development, building, and business community to stand up. This crowd has been planning Greenville for the last 40 years. They have been building tax base and creating jobs. No one was contacted to have any input at all in this plan. Mr. Miller stated that he thinks that the plan has been underhanded, led by a small minority, and it is a disgrace that the City Council had to take their time to listen to all of this tonight. He thinks that the Council should deny the ordinance. If the City Council wants to have a real ordinance that works, they should get some professionals in and do it like they ought to.

Mr. Craig Goess of Greenville Toyota stated that he is not a developer, but he is a business owner. He has 71 employees in Greenville and Pitt County and is getting ready to do a \$2.7 million major expansion on his building. The City Council has enough red tape on their books right now for development. The other night is the first time he even heard about the ordinance. The plan should come before the people who pay the taxes. When people sell their land in Greenville, they sell their land like oil wells are on their land. It is very expensive to live and to have a business in Greenville. Tonight is the first time that he has heard that the Council is worried about the medical district. The way the ordinance is written it sums up all the major corridors. Is the Council going to only deal with the medical center tonight and forget about the other corridors and bring the corridors in one by one until they cover the entire city? Are the different groups who decide what is going on in the City paying the majority of taxes? He does not know how these groups are picked and why they are here tonight. Mr. Goess asked the City Council to table this request for a later date so that they might get opinions from other people.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Glover and seconded by Council Member Craft to delay this request so that a committee of people who would be mostly affected by the new corridor overlay district will have the opportunity to work with the City Staff and to come up with a compromise.

Upon being asked whether this committee would be appointed by the City Manager, City Manager Bowers recommended that the City Council authorize staff to meet with anyone who is interested. When forming a committee, they have to decide who is on the committee and to balance the committee, which that takes a long time. He has heard that there is interest and it is important that the staff hear that input. They would open the meeting to anyone who wants to come and sit down to talk with them. Staff could hear their concerns and the citizens could hear those of staff. The staff could then, hopefully, bring back a compromise to the City Council.

Council Member Little asked if they are not going to have an official committee, if it would be possible to have several workshops. It would be more advantageous to have people to come in as a group so that many different ideas could be exchanged instead of trying to keep up with the one on ones. They could have two or three workshop sessions that are publicized for all community groups and it would be an open forum. They could probably come up with a better compromise, if more people have more input at the same time.

City Manager Bowers stated that it is an excellent idea. Those sessions will be announced so that anyone can come.

Motion was amended by Council Member Glover and seconded by Council Member Craft to include authorizing the City Manager to work with staff to set up workshops so that everyone could come in and give their input.

Upon being asked how staff came up with the proposal, Mr. Hamilton responded that there are many ordinances that deal with these types of regulations across America on the Internet. Staff has looked at surveys of other cities in North Carolina. There have been a number of surveys completed by people who are interested in doing this. Staff has looked at their ordinances and selected sections of their codes that they felt would be appropriate and wanted to be able to control the facade treatment of buildings. There are a number of ways to do that and a common way requires some type of articulation. It comes down to how the City wants to do that. Does it want to have sections of buildings that are 100, 250, 50, or 60 feet long? Staff chose 60 feet long and it could have been any other number. That is up for debate and people can vary what they think is appropriate. Parking in the rear and bringing buildings closer to the street are very common design standards that are applied throughout North Carolina and the country. Those types of standards that are in the ordinance dealing with lighting, parking, number of spaces and things like that are typical. He is sure when they come back with a compromised ordinance they are going to address each one of the sections. They may include different standards but they are going to have addressed each of those categories. Staff looked at a wide variety of standards throughout the country. The Comprehensive Plan recommends that they protect corridor development and they protect the corridors that lead into the City. It also as an implementation action recommends that the City Council adopt design guidelines citywide. They have not proposed that. He does not know if Greenville is ready. There is no time limit as to when that will be brought forward. Council has the option for all corridors, select corridors or citywide. When they have this open forum all those issues would be placed on the table, not just issues for this one corridor. Staff can make this broader and the process will get broader as they involve more people and interest. Staff will go through the process and bring Council back an ordinance that is a compromise.

Council Member Spell stated that what the Council has in front of them is not a one size fits for every corridor. There would be a separate plan coming up for each corridor.

Mr. Hamilton stated that their intent from the very beginning was to deal with crisis, which is going to happen shortly on this corridor. Once development occurs in that area, they may be able to look at redevelopment at the design life of the buildings 25 years from now. Once something is put on the ground, it is going to be there for a long time. If rules are written after something is built then the only thing that could be done is to capture that through redevelopment. They have to be able to get out in front as to what happens here in this particular corridor now. Going through the process and having the forums that is not a significant delay.

Upon being asked where any Wal-Marts have been built that might have reflected some of the guidelines proposed, Mr. Hamilton stated they could obtain copies because it is a common thing. He has seen Wal-Marts that have a big round column in the middle. There are Wal-Marts in other cities that are not the big box type and staff can bring that information back to Council. Staff is not proposing anything as extreme as some places might propose.

The motion originally made by Council Member Glover and seconded by Council Member Craft to include authorizing the City Manager to work with staff to set up workshops so that everyone could come in and give their input was then voted on and carried unanimously.

PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) ANNUAL ACTIVITIES FOR FISCAL YEAR 2006/2007 - APPROVED

Mr. Chris Davis, Community Development Administrator, stated that the purpose of this item is to initiate and gain input from the City Council and public for the preparation of the 2006-2007 Annual Plan for the City of Greenville. The activities within the Annual Plan are carried out with funds provided from the United States Department of Housing and Urban Development (HUD). Greenville is considered as an entitlement city and is annually allocated funding from the Federal government. Staff is required to develop a five-year consolidated plan, which gives a general overview of the specific activities that they see a need for. The needs of the current consolidated plan consist of housing rehabilitation, acquisition of dilapidated structures, demolition of dilapidated structures, recombination of substandard parcels, new construction, and down payment assistance to create homeownership specifically within the 45-Block Revitalization Area. Even though the City of Greenville is an Entitlement City and is automatically allocated funding, each year it has to go through an annual planning process to show the Federal government what will be done with those funds.

Mr. Davis stated that the first item in the proposed completion schedule is the hearing. The City sets aside funding for community housing development organizations and other non-profit organizations. The staff will advertise those available funds and then collect and review the applications. Staff will also schedule a meeting to get specific input from the neighborhood that is most affected. There are several other actions that are currently going on including Streetscape, Tenth Street Corridor, etc. They are trying to schedule a date for a neighborhood meeting that does not conflict with other scheduled meetings. The staff will prepare the Annual Plan and it will be available for a 30-day public comment period as well. Once the Annual Plan has been developed and the 30-day public comment period is over, they will come back to the City Council for a final public hearing for additional input, if any. If there are no changes, the Annual Plan will be submitted to HUD for consideration and approval.

Mr. Davis stated that for this current year there has been a reduction in the CDBG funds. Last year, the City received \$914,000 and this year's allocation is \$824,276. Greenville is also part of a consortium with the towns of Ayden, Bethel, Farmville, Winterville, and Grifton as well as Pitt County. The City also receives a HOME award annually and those funds are divided amongst the members of the consortium. The City of Greenville will actually receive \$381,700 in HOME funding for its activities in the 45-Block Revitalization Area. The combined total is \$1,205,976. Staff is asking for City Council's input on the administration to carry out the programs from both the CDBG and HOME funds. The Citizens Participation Plan calls for 15 percent to be set aside for eligible non-profit agencies that serve the citizens of Greenville. They are looking to set aside some additional down payment assistance. They have recently completed construction on four homes and will continue to construct new homes over the next year and make existing renovated homes available for sale. There will be the need for down payment assistance. Staff has also set up an acquisition and land assembly item for \$275,000 for acquisition and

demolition of property and also for relocation, if needed. There is also owner occupied rehabilitation. Their main goal is still homeownership and retaining the current homeowners that reside in this area. This area does have a lot of elderly citizens who have older homes. These funds are used to make the necessary repairs and to bring those houses up to meet Code. Overall, that is the breakdown of the expenditure of funding. The purpose of tonight's meeting is to obtain City Council's input, to hold a public hearing and to obtain City Council's approval of the proposed completion schedule.

Council Member Little asked whether the City has a master budget for how they would appropriate some of the bond money along with the CDBG funding. His concern is that with the funding of \$275,000 for the land acquisition and demolition part there are a lot more strings attached than there could be with the bond money. He asked whether there is a way to manipulate that money. Council Member Little also stated that he wants to make sure that they are putting aside enough money for downpayment assistance and are providing grants to make sure that housing are affordable.

Mr. Davis responded that they utilize CDBG funds for properties requiring no strings attached. In situations where it would be easier for them to carry out actions that the City Council sees fit on the properties, they utilize the bond funds. Those activities are budgeted and have been identified when they went through the bond referendum. Those activities were set up for acquisition, infrastructure, etc. A big portion of the funds is earmarked for housing rehabilitation. That is a necessary item for this area because they want to rehabilitate the existing homes. In terms of acquisition, if they want to look at additional money for down payment assistance, then staff could do that as well.

Mayor Pro-Tem Council stated that the funding for CDBG is less this year. She asked staff to submit information to the City Council regarding the amount needed to really do more. They are still lobbying along with the City's lobbying firm and will be doing it again in March through the National League of Cities. However, the CDBG funding is not on the main agenda, but she will be discussing the funding because the City needs more money to help meet more needs in the community.

Mr. Davis stated that when they were developing the consolidated plan for the 45-Block Revitalization Area, the vast majority of the funding that they were looking for was the CDBG funding. They estimated those funds out through over this eight-area period. This will decrease what they were expecting from CDBG to carry out certain activities. If it continues to decrease, that will limit what Staff is able to do with the CDBG money. It will put more of a pull on the available bond funds.

Mayor Parrott stated that a good point was made about the possible transfer of some of the land acquisition monies to down payment assistance. He asked whether Staff would take that into consideration.

Mr. Davis responded that staff would be very happy to have additional funds for down payment assistance.

Council Member Dunn stated one of their goals for revitalization is to increase homeownership in that area. She thinks that it is very good that funding is provided for already owned houses in need of repair to help them maintain that homeownership. Council Member Dunn asked what is the increase in homeownership that has occurred in that area.

Mr. Davis responded that on the private side it is difficult to determine what is changing. To some extent, they will be able to utilize GIS and determine how the homeownership percentages are changing. From their perspective, staff has assisted two people who were renting with becoming homeowners and rehabilitated those homes. There are four new houses that were recently constructed, one that is already under contract, another should be under contract on Monday, and a third is pending. They are starting to get an increase in homeownership from the housing side.

Upon being asked whether the houses that were demolished were turned into houses occupied by homeowners, Mr. Davis responded they were. There are five homes right now that are being rehabilitated and made available to homeowners over the next three to four months. They are advertising one for sale now that was part of the Evans' purchase, which has been completely renovated with an appraised value of \$40,000. It is very good housing; everything meets Code and is very affordable for existing residents.

Council Member Glover stated that she thinks that more funds should have been included for down payment assistance so that more than ten people could have been assisted. A lot of money is reserved for land acquisition and demolition in the bond money. She would like to have some of this money moved up to homeownership. It would be interesting to have some numbers on that.

Mr. Davis stated that one thing these numbers do not include is the North Carolina Housing Finance Agency (NCHFA) funding. That is something that they have been able to obtain on a scattered site basis for this area. Those NCHFA funds will provide up to 20 percent of the sale price of the home to buy down the first mortgage. Those funds are not included here, which is why the number is so low. That money is what they will rely on. From a lending institution's perspective, the City can only subsidize to a certain extent before they will not consider the loan. Depending on the price of the house and the guidelines, if it is greater than \$50,000, the prospective homeowner would look at \$10,000 assistance and if it were under \$50,000 they would look at \$5,000 in downpayment assistance. That is in addition to NCHFA money that is available.

Upon being asked where that money comes from, Mr. Davis responded that money is from the North Carolina Housing Finance Agency, which is a State agency.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Al Alston stated that he lives in the 45-block revitalization area, and he feels there is not enough money being allotted. If the City is demolishing property and relocating people, these people will need assistance. A lot of them will not be able to qualify for loans. The City may be dealing with elderly people who have retired and are having a hard time trying to make it. He stated that he supported the housing rehabilitation and asked the City's projections for that.

Mr. Davis responded that they have a rehab cap of \$40,000. They go up to \$40,000, which they inject into a home when housing rehabilitation is done. It is a combined total of \$574,000.

Mayor Parrott stated that the bond money, which was approved a couple years ago, would be used along with the funding from the federal government that they are allocating now. The bond money will supplement this funding from the two programs. The Community Development Department is working on different plans for assisting people who are dislocated from their homes.

City Manager Bowers stated that if they use these federal funds they are required to follow the Uniformed Relocation Act, which is a federal law. It has specific procedures and provides assistance for anyone who would be relocated.

Council Member Glover informed Mr. Alston that the City is not planning to demolish houses or force people to move out of houses that they are living in. The plan is to improve their homes with funding and to increase the value of their homes. She suggested that Mr. Alston meet with staff to review the proposed plan of the 45-block revitalization area and to give him more time for discussion and he will have a better understanding of how the other monies are planned out.

Answering questions asked by Mrs. Mary Lee Kinderham, Mr. Davis stated that lobbying costs are not reflected in the administration costs. There are guidelines in place to identify homeowners that are eligible for this assistance. There is currently a waiting list of individuals who have contacted the Community Development Department, and staff goes through eligibility criteria with them. The funds discussed tonight are for the upcoming year. Staff is currently working with funding that was passed last year and there are additional bond funds that are being utilized in this area. This project will run from anywhere to eight to ten years and maybe even longer. There will be additional funding added to this each year. There are limitations on the federal side as to how that money can be rolled over for future. The federal government does not allow the City to have more than 1.5 times its annual allotment sitting in the treasury every May 2 of each year. The City is at 1.0 as of expenditures through January 2 and will probably be close to .5 before the end of the fiscal year.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Little and seconded by Council Member Dunn to approve the proposed completion schedule. Motion carried unanimously.

PUBLIC COMMENT PERIOD

Mayor Parrott announced that it was his understanding that several people are in attendance to discuss the Greenville Aquatics and Fitness Center (GAFC). He stated that Council Member Craft would like to make a statement.

Council Member Craft asked where staff is with the Parks and Recreation Trust Fund grant.

City Manager Bowers stated that the grant being applied for is for \$500,000 to make repairs to the Aquatics and Fitness Center. The grant was submitted on time, and it is being reviewed. The City will be notified in May as to whether it was successful. The purpose of the grant is to do renovations. The matching grant would be for the donation of the property from the Eastern Carolina Vocational Center. At the City Council Planning Session, the decision of the Council was to proceed with the grant application and make a decision before the State made its decision on the application, and the City would decide whether to receive or not receive the grant if it was offered.

Motion was made by Council Member Craft and seconded by Council Member Dunn to continue to move forward with the grant and upon acceptance move forward with acceptance of the grant; remove the Aquatics and Fitness Center from the Enterprise Fund and come up with a new fee schedule so that it will be part of a City service. Non-city residents will pay a different rate. Motion carried unanimously.

Upon being asked what would happen if the City didn't receive the grant, Mr. Craft stated that would be another issue.

The Director of Recreation and Parks, Boyd Lee, was asked to give a history of the facility, which he did. He stated that 20 years ago, Eastern Carolina Vocational Center built it for clients and they couldn't operate it. The City came up with a plan for it to be self-sustaining. Three things caused a drop in the membership—Flood Floyd in 1999; Viquet opening and people starting to go there for therapeutic purposes; and the opening of the new student center at East Carolina University. The membership level has now leveled off.

Mr. Gerald Crane stated that he has been a member of the Greenville Aquatics and Fitness Center for 20 years. There are currently about 1400 members, all of whom have been worried about the Council closing the Center. He asked those in the audience who are in support of keeping the Center open to stand, and approximately 45 people stood. Mr. Crane informed the Council that most districts are represented at the Aquatics Center. Not everyone wants to be a member of Viquet, as the charge is about 2.5 times as much. He feels that by advertising, new members will join. He asked the City Council to back the members, as this facility is important to so many citizens.

Mayor Parrott explained that the City needs the help of the members to get new members.

Ms. Diane Kulik suggested having focus groups to determine the needs of the citizens. She also suggested having more programs. All lifeguard teaching is done at this facility. She suggested that there be a reduced fee or grant for those who cannot afford to use the facility.

Mr. Don Duff stated that Burroughs Wellcome donated a sizeable amount of money, which gave employees the privilege of working out there before it began to be operated by the City. He has used the facility for 20 plus year. Mr. Duff asked the Council to not close the facility.

Mr. David Neese applauded the decision of the City Council to continue to maintain the facility. He is an engineer at Grady White Boats, which, as an employee benefit, has 77 members of the

Aquatics Center. Being a member is a big employee benefit. He encouraged people to participate in the facility. He suggested that the Council use the businesses to recruit members.

Council Member Craft stated that Council has talked about having a marketing person to do just that.

Mr. Charles Moore stated that he has been using the facility for 27 years. He doesn't want to use the facility at East Carolina University, because it is difficult to find parking there.

Ms. Melissa Vano, who works in Greenville, stated that one of the benefits of moving here from New Bern was having the fitness center. The senior population is over represented tonight. There are many younger people who also want us to keep the center open; however, it is difficult for them to get out at night to attend Council meetings because of having young children at home. The City should also target teenagers. There is nowhere for the teenagers to go.

An unidentified citizen questioned whether the Council had received a petition that was submitted to the City, and she was informed that it did.

Mr. Dan Sprau stated that he has used the Aquatics and Fitness Center for 20 years. He stated that he hoped the Council realizes the goodwill value. A good cross section of people from the community use the facility. It is a good facility. He encouraged the City Council to keep it open.

Mr. Norm Collins stated that he has a wife and two boys. There are three major favorable things about this facility—lower fees, childcare, and good family atmosphere. He stated that he appreciated the Council and what they are doing.

An unidentified citizen stated that she was confused about the non-competitive clause that the Aquatics and Fitness Center cannot advertise. It has a great summer program. The Council needs to keep it at least as affordable as it is now. It was a major factor in her relocating and bringing her father here.

Ms. Josephine Costo stated that she lives in the county. She comes to Greenville to go to the Aquatics Center, eats and spends money in Greenville. She asked the Council to not double the fees.

PRESENTATION OF THE CURBSIDE REFUSE COLLECTION IMPLEMENTATION PLAN - APPROVED

Mr. Tom Tysinger, Director of Public Works, stated that converting refuse collection to all-curbside was a City goal for 2005 and staff was directed to develop an implementation plan. Curbside service is the most cost effective, and most similar size cities only offer curbside service. A plan of transition has been developed that heavily promotes curbside services. The City would like to seek voluntary conversion of backyard customers to curbside. It is hoped that full conversion to curbside will be done by February 2007. When the plan is fully implemented, it is recommended that backyard service for special needs individuals be continued, that the work force be adjusted through attrition and that the refuse fee be increased for single-family and

duplex customers. The education process will be done through public notification through the City website, government access channel and utility bills. Flyers will be distributed to all backyard customers. Presentations will be done to civic groups. Direct mailing and door hangers will be provided to all backyard customers. Current backyard customers may convert by contacting the Public Works Department. They will need to purchase a City roll-out container at a cost of \$56 for a 64-gallon or \$59 for a 96-gallon container. Citizens may pay for the container lump sum or finance it over 12 months interest-free. The container will be delivered to the residence. Under the new program, effective July 1, 2006, all new residents of single-family and duplex dwellings will be provided curbside service only. When utility service is applied for, collection service will begin. A container and new resident package will be delivered.

Mr. Tysinger continued by stating that an increase of \$1 per month for current curbside and backyard customers is recommended, making the new fee \$9 per month for curbside service and \$18 per month for backyard service. It is estimated that 3,000 conversions will be made during FY 2006-2007, and the increase will offset lost revenue from those conversions. A comparison of the revenue was provided.

REFUSE FEE COMPARISON

Budget Year	Backyard Refuse Collection	Curbside Refuse Collection	Single-Family Revenue
FY 2005-06	9,000 @ \$17/mo. \$1,836,000	6,500 @ \$8/mo. \$624,000	\$2,460,000
FY 2006-07 (Current Fee)	6,000 @ \$17/mo. \$1,224,000	10,500 @ \$8/mo. \$1,008,000	\$2,232,000 Net Loss--\$228,000
FY 2006-07 (Proposed Fee)	6,000 @ \$18/mo. \$1,256,000	10,500 @ \$9/mo. \$1,134,000	\$2,430,000

Operationally, there have been cost increases due to fuel prices, cost of equipment, personnel, vehicle maintenance, growth in service area, and increase in travel distances. Mr. Tysinger recommended that the Council approve the proposed implementation plan, which would result in promoting voluntary conversion to curbside, having no new backyard customers effective July 1, 2006, increasing refuse fee for single-family and duplex residents effective July 1, 2006, evaluating the number of backyard versus curbside customers in January 2007, and considering full conversion to all curbside effective February 2007.

Council Members expressed concern about people leaving their carts at the street if this is mandated, which will change the look of the City streets. It was expressed that the City is currently recovering the cost, so there is not a financial need to go to full curbside service. Backyard service is not a service that the citizens have complained about having to pay for.

City Manager Bowers stated that in 1992, the City decided to transition to curbside service. A mixed system is the most expensive system. People who have curbside are not getting the benefit of curbside service because of it being mixed. The most savings come when you can go to a one-person truck and it is a fully automated system. Greenville has a hybrid system. The

extra cost will always be born by both curbside and frontyard. At some point, the City needs to decide it is not going to convert so the staff can concentrate its efforts on other things.

Motion was made by Council Member Little and seconded by Council Member Dunn to not approve the Curbside Refuse Collection Implementation Plan. Motion carried unanimously.

APPROVAL OF A HOMEOWNERSHIP ACADEMY - APPROVED

Mr. Chris Davis, Community Development Administrator, stated that staff has developed an additional program to assist citizens with becoming homeowners. Entitled “Homeownership Academy”, the program will provide participants the opportunity to gain a working knowledge of the home-buying process and to prepare themselves financially to purchase a home within the West Greenville Revitalization Area. At the completion of the program, participants receive a certificate for \$500, redeemable at closing, to assist with the purchase of an existing or new home within the West Greenville Revitalization Area. The process and eligibility requirements are attached for review. On December 14, 2005, the Affordable Housing Loan Committee reviewed and voted unanimously to recommend to City Council approval of the program. Funding for the program would be provided through the North Carolina Housing Finance Agency’s program Support Payments for providing Homeownership Education & Counseling to ready families for homeownership.

“COPY”



City of Greenville Homeownership Academy \$500.00 Toward Closing Cost Certificate



The Homeownership Academy provides participants the opportunity to gain a working knowledge of the home buying process and to prepare themselves financially to purchase a home within the West Greenville Revitalization Area. At the completion of the program, participants receive a certificate for \$500.00 redeemable at closing to assist with the purchase of an existing or new home within the West Greenville Revitalization Area.

Eligibility: Participants must meet the following requirements:

- Be a first-time homebuyer.
- Meet income standards (household income between 30% - 80% AMI):

Household Size	30%	40%	50%	60%	70%	80%
1	\$10,450	\$13,950	\$17,450	\$20,950	\$24,450	\$27,900
2	\$11,950	\$15,925	\$19,900	\$23,950	\$27,900	\$31,850
3	\$13,450	\$17,925	\$22,400	\$26,950	\$31,400	\$35,850
4	\$14,950	\$19,925	\$24,900	\$29,900	\$34,900	\$39,850
5	\$16,150	\$21,525	\$26,900	\$32,300	\$37,700	\$43,050

6	\$17,350	\$23,100	\$28,900	\$34,700	\$40,500	\$46,200
7	\$18,550	\$24,700	\$30,900	\$37,100	\$43,300	\$49,400
8	\$19,700	\$26,300	\$32,850	\$39,450	\$46,050	\$52,600

- Meet Minimal Credit, Employment & Debt to Income Standards:
 - No charge offs, non-medical collections or judgments within the pass 12 months and the ability to clear or payoff old negative items on credit report.
 - No active bankruptcy within the pass 24 months.
 - A 12-month verifiable positive rental history with current landlord.
 - Stable work history (2 years with current employer or working in the same field).
- Willing to Participate in an 8 to12-week Homeownership Program and complete required worksheets.

Location: To use the Certificate, participants have 12 months from date of issue to purchase an existing or new home within the West Greenville Revitalization Area.

Other: Additional downpayment assistance programs may be available to qualified applicants.

Internal Process for Program

8-12 Week Program

Step 1: Complete Homeownership Education Workshop:

Workshop: 7 hours	Homeownership: The Impossible Dream?
	Homeownership: Buying A Home Means Borrowing Money
	Homeownership: You Finally Get the Keys!
	Homeownership: In the Long Run
	Homeownership: The Financial Side
	Homeownership: Shopping for Your Home

** All participants receive a certificate of participation upon completion of Homeownership Education Workshop.

Step 2: If participant wants to qualify for \$500.00 Closing Cost Assistance Certificate they must schedule an appointment for intake:

Complete / Review Intake & Specify Housing Goals with the Client
 Determine Income Sources (Annual & Gross Monthly Income Worksheets)
 Review Current Monthly Expenditures (Where Does the Money Go Worksheet)
 Pull & Review Credit Report
 Determine Current Debt Load
 Letter of Eligibility Sent (If they meet program guidelines)

Step 3: Once participant receives letter of eligibility One-On-One Counseling sessions

begin:

- Assess Financial Status and Estimate Affordability (Client Worksheet)
- Create Client Action Plan
- Create A Budget (Client Worksheet)
- ID Savings Plan & other Community Resources (Client Worksheet)
- Identify Action Steps for Credit Improvement
- Discuss Downpayment Assistance programs & Mortgage Product Options
- Refer to Mortgage Lender for Pre-Qualifying

Step 4: Once Pre-Qualified with Lender and all required worksheets and budget are completed a \$500.00 Closing Cost Assistance Certificate is issued to the participant. The Certificate is valid for 12 months for property located within the West Greenville Revitalization Area.

Step 5: Locate Housing & Submit Offer to Purchase
 Assist with Completing Loan Application
 Review Loan Approval & Conditions
 Process Downpayment Payment Assistance Application
 Order Checks & Attend Loan Closing
 Celebrate Home Purchase (press releases- newsletter- website owner circle page)

Step 6: Enroll in Post-Purchase Housing Counseling / Follow-up to keep on target

** Funding for the program would be provided though the NCHFA's Program Support Payments. We receive \$1,000.00 per a loan for providing Homeownership Education & Counseling to ready families for homeownership.

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Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to approve the program including eligibility requirements and process. Motion carried unanimously.

ORDINANCES TRANSFERRING FUNDS FROM GREENVILLE UTILITIES COMMISSION'S WATER, SEWER, AND GAS CAPITAL RESERVE FUNDS – ADOPTED

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance authorizing the transfer of monies held in the Water Capital Reserve Fund to the Water Capital Projects Fund. Motion carried unanimously. (Ordinance No. 06-16)

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance authorizing the transfer of monies held in the Sewer Capital Reserve Fund to the Sewer Capital Projects Fund. Motion carried unanimously. (Ordinance No. 06-17)

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance authorizing the transfer of monies held in the Gas Capital Reserve Fund to the Gas Capital Projects Fund. Motion carried unanimously. (Ordinance No. 06-18)

GREENVILLE UTILITIES COMMISSION GAS CAPITAL PROJECTS BUDGET
ORDINANCE FOR THE NATURAL GAS SYSTEM EXPANSION - ADOPTED

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance establishing a Gas Capital Projects Budget for the Natural Gas System Expansion. Motion carried unanimously. (Ordinance No. 06-19)

BUDGET ORDINANCE AMENDMENT #7 TO THE 2005-2006 CITY OF GREENVILLE
BUDGET - ADOPTED

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance approving budget ordinance amendment #7 to the 2005-2006 City of Greenville budget. Motion carried unanimously. (Ordinance No. 06-20)

REPORT ON BIDS AWARDED

City Manager Wayne Bowers referred the Council to bids that had been awarded as follows:

<u>Date</u>	<u>Item Description</u>	<u>Awarded To</u>	<u>Amount</u>
12/15/2005	1 (ea.) To replace gas heater materials and labor per owner's specs	Central Heating & Air	\$18,133.00

COMMENTS FROM MAYOR AND CITY COUNCIL

Council Member Craft thanked DSM for sponsoring Drew Steele as a sponsor of the Special Olympics.

Mayor Pro-Tem Council stated that the 2006 Civil Rights Historic Rights Tour sponsored by the Martin Luther King, Jr. Association will be going to 14 sites.

Mayor Pro-Tem Council stated that the Shaw University Alumni Association will meet at 8:00 a.m. at the Golden Corral on February 11.

Mayor Pro-Tem Council stated that there will be a neighborhood meeting at 7:00 p.m. at Eppes on Thursday, February 16, at 7:00 p.m.

CITY MANAGER'S REPORT

The City Manager had no items to report.

ADJOURN

Motion was made by Council Member Craft and seconded by Council Member Glover to adjourn the meeting at 10:40 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk